

Remarks

I. Introduction

This is in response to the Office Action dated February 25, 2009.

The Office Action rejected claims 1-8 under 35 U.S.C. §103(a) as being unpatentable over Smyk (US Patent No. 6,603,760) in view of Wilson (US Patent No. 5,555,288).

The Office Action also rejected claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over March (US Patent No. 6,327,358 B1) in view of Wilson.

The Office Action also rejected claims 1-9 under 35 U.S.C. §103(a) as being unpatentable over Smyk in view of Soncodi (US Publication No. 2005/0074026).

The Office Action also rejected claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over March in view of Soncodi.

The Office Action rejected claims 11-12 under 35 U.S.C. 103(a) as being unpatentable over Smyk and Wilson, and further in view of Funk (US Patent No. 5,185,785). The Office Action also rejected claims 11-12 under 35 U.S.C. 103(a) as being unpatentable over March and Wilson, and further in view of Funk. The Office action also rejected claims 11-12 under 35 U.S.C. 103(a) as being unpatentable over Smyk and Soncodi, and further in view of Funk. The Office Action also rejected claims 11-12 under 35 U.S.C. 103(a) as being unpatentable over March and Soncodi, and further in view of Funk.

Claims 1-12 are pending in this application.

II. Rejections under 35 U.S.C. § 103(a)

Independent claim 1 was rejected as being unpatentable over Smyk in view of Wilson. Independent claim 1 was also rejected as being unpatentable over March in view of Wilson. Independent claim 1 was also rejected as being unpatentable over Smyk in view of Soncodi. Independent claim 1 was also rejected as being unpatentable over March in view of Soncodi. In order to "establish *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art." In re Royka, 490 F.2d 981, 180

USPQ 580 (CCPA 1974). Furthermore, “all words in a claim must be considered in judging the patentability of that claim against the prior art.” In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). See also MPEP § 2143.03. The cited references, either alone or in combination, do not teach all of the claim limitations of independent claim 1. Therefore, Applicants request the withdrawal of the rejection under 35 U.S.C. §103(a).

As described at paragraph [0012], the present application is related to aiding a shift in the equipment or technology of telecommunications networks. This may be used, for example, when transitioning from a “4ESS” legacy network to a new “edge network” where the goal, as recited in paragraph [0018], may be the eventual migration of all calls from the legacy network to the new network. In embodiments of the invention, the method proceeds by guiding calls from a legacy network (i.e. a PSTN network) to a new network (i.e. a packet-switched network) and providing service processing in the new network based on a particular type of incoming trunk. In the example 1 of the present application, as recited from paragraph [0027] to [0036], an incoming trunk may, for example, be a “switched access or nodal trunk.” Thus, depending on whether the incoming trunk was a switched access or nodal trunk, a call may be guided from a legacy network to a new network in embodiments of the invention.

The above aspects are reflected in independent claim 1. In particular, independent claim 1, as amended, recites the limitation of “invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on.” This limitation is not shown in the cited references, separately or in any hypothetical combinations.

Smyk in view of Wilson

Smyk is directed to handling a phone call on a legacy or a new network (an “NGN”) based on a subscription of a user. Smyk retrieves data in a subscription database to determine whether the dial-tone and services will be provided by the legacy or the new network. Thus, a customer chooses to subscribe to a first or second network. Smyk does not disclose that services are

provided or that calls are guided to the new network based on the incoming trunk.

Accordingly, Smyk discloses routing a call to a new network based on data in subscription database, and therefore does not disclose routing a call based on the type of incoming trunk. Col. 5 lines 47-49 of Smyk state, “[a] subscription database 417 contains information related to the customer’s line such as whether the customer subscribes to communications services offered through the SM or through the class 5 switch.” Smyk further states in col. 5 lines 54-47, “[b]ased on the information in the subscription database 417, the SM 416 determines that the customer has selected service features offered through the class 5 switch 418 and the call should be established in VLL mode.” Thus, Smyk directs a call to a second subnetwork (i.e. through the class 5 switch 418) based on a user’s subscription. Smyk does not disclose that the call is directed based on the type of incoming trunk. Thus, Smyk does not disclose “invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on,” as recited in independent claim 1.

Wilson is directed to a voice processing system with a configurable telephone line interface. As described in Wilson, trunks can be grouped and defined as a particular trunk type. As described at column 18, lines 1-8 of Wilson different trunk groups are coupled to specialized nodules for processing. The Examiner relies on the description of grouping trunks together and coupling trunk groups to specialized modules to assert that Wilson cures the deficiencies of Smyk. However, there is no description in Wilson of directing a call received at a first subnetwork to a second subnetwork based on the type of incoming trunk. The description of grouping trunks in Wilson is not the same as directing an incoming call based on the type of incoming trunk. Therefore, neither Smyk nor Wilson, separately or in combination, disclose “invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on,” as recited in independent claim 1.

March in view of Wilson

March is directed to routing a call to a packet switched network based on load factors. March is concerned with routing a toll-free call to a switch when doing so balances the load on the switches in a more efficient manner. March, however, does not disclose routing the call based on the type of incoming trunk. March describes routing a call based on criteria, as discussed in col. 6 of March. Specifically, col. 6, lines 25-27 state that "the call is redirected from its original destination to a new IP gateway coupled to a different location on the traffic network 104." Lines 32 through 42 further state, "[t]he redirection of calls may be performed statically such that all calls are redirected to a particular new IP gateway. Further, the redirection of calls may be performed dynamically such that calls are redirected to one of a plurality of IP gateways . . . depending upon operating criteria. Such operating criteria includes, for example, proximity of the subscriber to each of a plurality of IP gateways . . . across the traffic network 104, the cost of routing the call via the traffic network 104, the loading levels of the available IP gateways and [t]he current outages of the ISP's IP gateways, among other criteria." March does not describe the criteria that the redirection of calls is based on being the type of the incoming trunk. March is concerned with redirection based on operating criteria and not with redirection based on the type of incoming trunk. Therefore, March does not disclose the limitation of, "invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on," as described in independent claim 1.

Wilson is directed to a voice processing system with a configurable telephone line interface. As described in Wilson, trunks can be grouped and defined as a particular trunk type. As described at column 18, lines 1-8 of Wilson different trunk groups are coupled to specialized nodules for processing. The Examiner relies on the description of grouping trunks together and coupling trunk groups to specialized modules to assert that Wilson cures the deficiencies of March. However, there is no description in Wilson of directing a call received at a first subnetwork to a second subnetwork based on the type of incoming trunk.

The description of grouping trunks in Wilson is not the same as directing an incoming call based on the type of incoming trunk. Therefore, neither March nor Wilson, separately or in combination, disclose "invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on," as recited in independent claim 1.

Smyk in view of Soncodi

As described above, Smyk does not disclose that the call is directed based on the type of incoming trunk. Thus, Smyk does not disclose "invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on," as recited in independent claim 1.

Soncodi, in paragraph [0006], in the "Disclosure of the Invention" discloses that, "Based on one or more parameters in the signaling message, an incoming SIP trunk group is identified." Soncodi is concerned with identified SIP (Voice over IP) trunks groups only. Soncodi defines a trunk group as, for example, those trunks which have peers invited to a multimedia conference, such a telephone call (paragraph [0020]). Thus, a "trunk group," as defined in Soncodi, are SIP calls which communicate with each other. Soncodi trunk groups do not comprise different types of trunks.

Accordingly, Soncodi does not disclose that calls are processed based on a particular type of incoming trunk that the calls come in on. A type of incoming trunk may be, for example, a switched access or nodal trunk. Soncodi, as described above, is concerned with grouping only SIP trunks, based on, for example, placing calls together in a multimedia presentation. Soncodi does not disclose different types of trunks or invoking service processing based on the type of trunk. Again, Soncodi is only concerned with a single type of trunk and a grouping calls into a trunk group, not handling services on a new network based on a type of incoming call trunk. Therefore, Soncodi does not disclose "invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on," as described in

independent claim 1. Thus, neither Smyk nor Soncodi, separately or in combination disclose “invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on,” as described in independent claim 1.

March in view of Soncodi

As described above, March does not disclose routing a call based on the type of incoming trunk. Thus, March does not disclose “invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on,” as recited in independent claim 1.

Soncodi, in paragraph [0006], in the “Disclosure of the Invention” discloses that, “Based on one or more parameters in the signaling message, an incoming SIP trunk group is identified.” Soncodi is concerned with identified SIP (Voice over IP) trunks groups only. Soncodi defines a trunk group as, for example, those trunks which have peers invited to a multimedia conference, such a telephone call (paragraph [0020]). Thus, a “trunk group,” as defined in Soncodi, are SIP calls which communicate with each other. Soncodi trunk groups do not comprise different types of trunks.

Accordingly, Soncodi does not disclose that calls are processed based on a particular type of incoming trunk that the calls come in on. A type of incoming trunk may be, for example, a switched access or nodal trunk. Soncodi, as described above, is concerned with grouping only SIP trunks, based on, for example, placing calls together in a multimedia presentation. Soncodi does not disclose different types of trunks or invoking service processing based on the type of trunk. Again, Soncodi is only concerned with a single type of trunk and a grouping calls into a trunk group, not handling services on a new network based on a type of incoming call trunk. Therefore, Soncodi does not disclose “invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on,” as described in independent claim 1. Thus, neither March nor Soncodi, separately or in

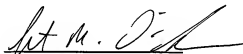
combination disclose "invoking service processing by said second of said at least two subnetworks based on the particular type of incoming trunk the call comes in on," as described in independent claim 1.

For the reasons described above the Smyk, March, Wilson, and Soncodi, separately or in any hypothetical combination, do not disclose all of the limitations of independent claim 1. Thus, independent claim 1 is allowable over the cited art. Claims 2-12 depend from allowable independent claim 1, and are therefore also allowable.

III. Conclusion

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all claims is respectfully requested.

Respectfully submitted,



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